

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF MARYLAND
(Baltimore Division)**

IN RE:

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JOHN MCDONNELL MCPHERSON,

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**Case No.: 21-10205-MMH
(Chapter 11)**

Debtor.

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**SUPPLEMENTAL LINE REGARDING HEARING
ON THIRD AMENDED DISCLOSURE STATEMENT**

Camac Fund, LP (“Camac”), by and through its undersigned counsel, Alan M. Grochal, Richard L. Costella, and Tydings & Rosenberg LLP, set forth an additional area of discussion with respect to the hearing to be held on October 27, 2021 to consider the Debtor’s Third Amended Disclosure Statement, and in support thereof, states as follows:

1. On August 31, 2021, this Court held a hearing to, among other things, consider approval of the Debtor’s Amended Disclosure Statement.¹
2. On September 3, 2021, this Court entered an Order Setting Certain Deadlines Relating To Disclosure Statement (the “Scheduling Order”). Specifically, the Scheduling Order directed the Debtor to file and serve a Third Amended Disclosure Statement on or before September 10, 2021 and provided that any creditor seeking a further hearing before the Third Amended Disclosure Statement is approved, must request a hearing on or before September 20, 2021 (dkt. 107).
3. The Debtor filed a redlined Third Amended Disclosure (the “Disclosure Statement”) and a clean Third Amended Disclosure Statement on September 10, 2021 (dkt. 110 and 112).
4. On September 19, 2021, Camac filed a Line Requesting Hearing on Third Amended

¹ On the eve of the hearing, the Debtor filed a modified Amended Disclosure Statement in response to issues raised by the Office of the United States Trustee and the Internal Revenue Service.

Disclosure Statement (dkt. 117). In that submission, Camac cited a lack of explanation and/or documentation to support the \$6000 monthly payment that the Debtor makes to his wife.

5. On October 8, 2021, the Debtor filed a Motion for Approval of Post-Petition Financing Pursuant to Section 364 of the Bankruptcy Code (the “Finance Motion”) (dkt. 125). Through the Finance Motion, the Debtor sought to borrow more than \$41,000 from Mihaly, McPherson Signorelli, LLC (“MMS”) to pay a fee owed in the arbitration proceeding involving the Debtor and Camac.

6. Camac objected to the Finance Motion on several grounds including the fact that the Debtor’s current monthly income comes solely from MMS and the loan by MMS could impair the Debtor’s ability to continue to receive monthly draws of \$13,000 from MMS as projected in the Plan. At a hearing on October 15, 2021, the Court agreed to approve the Finance Motion subject to a number of conditions.

7. In such circumstances the scheduled hearing on the Disclosure Statement should also include a discussion of the impact that the loan from MMS will have on the Debtor’s ability to fund his Plan.

Dated: October 18, 2021.

Respectfully Submitted,

/s/ Alan M. Grochal
Alan M. Grochal, Bar No.: 01477
Richard L. Costella, Bar No.: 14095
Tydings & Rosenberg LLP
One E. Pratt Street, Suite 901
Baltimore, Maryland 21202
Phone: (410) 752-9753
Fax: (410) 727-5460
Email: agrochal@tydings.com
rcostella@tydings.com

Attorneys for Camac Fund, L.P.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 18th day of October, 2021, copies of the foregoing ***SUPPLEMENTAL LINE REQUESTING HEARING ON THIRD AMENDED DISCLOSURE STATEMENT*** were served via the Court's ECF filing system on the following:

Brent C. Strickland, Esq.
Paul M. Nussbaum, Esq.
Whiteford Taylor & Preston, LLP
111 Rockville Pike, Suite 800
Rockville, Maryland 20850
bstrickland@wtplaw.com
pnussbaum@wtplaw.com

James Daniel Ford, Jr. (UST)
Office of the U.S. Trustee
101 West Lombard Street, Suite 2625
Baltimore, Maryland 21201
j.dan.ford@usdoj.gov

Laura S. Bouyea, Esquire
Venable LLP
750 East Pratt Street, Suite 900
Baltimore, Maryland 21202

/s/ Alan M. Grochal
Alan M. Grochal